

City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 020-16
1215 DE LA GUERRA ROAD
MODIFICATION
MARCH 30, 2016

**APPLICATION OF MISAEL CONTRERAS FOR TODD BOGDAN AND HEATHER TAYLOR,
1215 DE LA GUERRA ROAD, APN: 031-071-003, E-3 ZONE (SINGLE-FAMILY
RESIDENTIAL), GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX
5 UNITS/ACRE (MST2015-00615))**

The 7,414 square-foot site is currently developed with a 1,841 square foot, one-story single-family dwelling and a detached 456 square foot two-car garage. The proposed project involves an interior remodel of the kitchen and dining room, addition of new windows, a skylight, and a door providing access to a new 215 square foot front deck off the dining room that will cantilever over the garage.

The discretionary application for this project is a Distance Between Buildings Modification to allow the deck to encroach into the 5 foot minimum distance between main and accessory buildings (SBMC 28.87.062 and SBMC 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:


1. Staff Report with Attachments, March 23, 2016.
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the requested Distance Between Buildings Modification making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed cantilevered deck is an appropriate improvement to a single-family residence because it allows a desired improvement, will not diminish accessibility through the property or pose a fire safety issue, and is compatible with the neighborhood.

This motion was passed and adopted on the 30th day of March, 2016 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.


Kathleen God, Staff Hearing Officer Secretary

4/5/16
Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for **Single Family Design Board (SFDB)** approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.